

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING SESSION – DIVISION OF WATER QUALITY  
JUNE 19, 2007**

**ITEM 5**

**SUBJECT**

CONSIDERATION OF A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO APPLY FOR, ACCEPT, AND/OR AMEND A FEDERAL CLEAN WATER ACT SECTION 319(h) GRANT AND AUTHORIZING EXECUTION AND AMENDMENT OF CONTRACTS FOR SUPPORT OF THE NONPOINT SOURCE PROGRAM

**DISCUSSION**

Federal Clean Water Act section 319(h) (CWA 319 [h]) provides grants to states to implement Nonpoint Source (NPS) Management Programs. Approximately \$10,300,000 will be available to California under CWA 319(h) for federal Fiscal Year (FFY) 2007. Funds from FFY 2007 will be used to implement NPS projects and to support NPS contracts and activities managed and performed by staff of the Regional Water Quality Control Boards (Regional Water Boards), State Water Resources Control Board (State Water Board), and the California Coastal Commission.

The CWA 319(h) grants proposal process has been coordinated with the Watershed Management Initiative (WMI). Approximately half of the State's CWA 319 (h) grant funds are directed towards NPS projects through the competitive grants process. As part of the State Water Board's 2005-06 Consolidated Grants Program, in August, 2006, project proposals were reviewed by technical review committees and a list of ten projects were recommended for CWA 319(h) funding. A list of these projects was submitted to and adopted by the State Water Board in September 2006 (Resolution No. 2006-0063). In anticipation of FFY2007 funds, one project from the Proposition 50 Coastal Nonpoint Source Pollution Control Program was also selected for CWA 319(h) funding, and approved by the State Water Board through Resolution Nos. 2006-0063 and 2006-0087, respectively. These additional proposals total \$2,467,601, leaving approximately \$1,600,000 remaining for projects to commence in 2008. In 2007, the remaining CWA 319(h) funds will be included with other Proposition funds in a request for concept proposals.

**POLICY ISSUE**

Should the State Water Board adopt a resolution:

1. Authorizing the Executive Director to apply for, accept, and amend, as necessary, an FFY 2007 CWA 319(h) grant for an amount up to \$10,300,000 for support of the NPS Program;
2. Authorizing the Executive Director to negotiate and approve program workplans;
3. Authorizing the issuance of grants, contracts, and amendments that support the NPS Program; and

4. Authorizing the issuance of grants, contracts, and amendments to implement the NPS proposals after presenting State Water Board with the list of recommended full proposals selected from the competitive grants process once the grant is received.

### **FISCAL IMPACT**

Existing NPS Program budget authority is currently adequate to accommodate the anticipated grant.

### **REGIONAL BOARD IMPACT**

Yes. All Regional Water Boards.

### **STAFF RECOMMENDATION**

That the State Water Board adopt a resolution:

1. Authorizing the Executive Director to apply for, accept, and amend, as necessary, an FFY 2007 CWA 319(h) grant for an amount up to \$10,300,000 for support of the NPS Program;
2. Authorizing the Executive Director to negotiate and approve program workplans;
3. Authorizing the issuance of grants, contracts, and amendments that support the NPS Program; and
4. Authorizing the issuance of grants, contracts, and amendments to implement the NPS proposals after presenting State Water Board with the list of recommended full proposals selected from the competitive grants process once the grant is received.

D R A F T

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2007 -**

AUTHORIZING THE EXECUTIVE DIRECTOR TO APPLY FOR, ACCEPT, AND/OR AMEND A FEDERAL CLEAN WATER ACT SECTION 319(H) GRANT AND AUTHORIZING EXECUTION AND AMENDMENT OF CONTRACTS FOR SUPPORT OF THE NONPOINT SOURCE PROGRAM

WHEREAS:

1. The federal Clean Water Act section 319(h) (CWA 319 [h]) provides grant funds for states to implement nonpoint source (NPS) management programs;
2. The State Water Resources Control Board (State Water Board) is the designated State agency in California to administer the NPS Program;
3. In November 2001, the State Water Board adopted its Strategic Plan, which identifies the implementation of a Watershed Management Initiative (WMI) as an ongoing high priority initiative which coordinates many State Water Board and Regional Water Quality Control Board activities under the WMI;
4. On December 14, 1999 and January 11, 2000, the State Water Board and the California Coastal Commission, respectively, approved the Plan for California's Nonpoint Source Pollution Control Program (NPS Program Plan), which includes activities the State will undertake to control NPS pollution;
5. On July 11, 2000, the United States Environmental Protection Agency (U.S. EPA) and National Oceanic Atmospheric Administration approved California's NPS Program Plan;
6. The U.S. EPA has notified the State Water Board that the federal Fiscal Year (FFY) 2007 CWA 319(h) grant allocation of approximately \$10,300,000 will be available to the State;
7. In September and November 2006, the State Water Board approved a total of 11 projects to be funded with the CWA 319 (h) grant funds, including projects totaling approximately \$2,467,601 to be funded with 2007 grant funds;
8. In 2007, approximately \$1,600,000 of CWA 319 (h) funds will be included with Proposition funds in a request for concept proposals;
9. The full proposals to be funded with the CWA 319 (h) grant will be reviewed for contact readiness, and the list of recommended proposals will be presented to the State Water Board in late 2007 or early 2008.

D R A F T

THEREFORE BE IT RESOLVED THAT:

The State Water Board ...

1. Authorizes the Executive Director to apply for, accept, and amend, as necessary, an FFY 2007 CWA section 319(h) grant for an amount up to \$10,300,000 for support of the NPS Program;
2. Authorizes the Executive Director to negotiate and approve program workplans;
3. Authorizes the issuance of grants, contracts, and amendments that support the NPS Program; and
4. Authorizes the issuance of grants, contracts, and amendments to implement the NPS proposals after presenting State Water Board with the list of recommended full proposals selected from the competitive grants process once the grant is received.

**CERTIFICATION**

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on June 19, 2007.

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Clerk to the Board